

1 THE HONORABLE RICARDO S. MARTINEZ  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

9 THOMAS DOROBIALA, individually and  
10 behalf of all others similarly situated,

11 Plaintiff,

12 v.

13 AMAZON.COM, INC., a Delaware  
corporation,

14 Defendant.

15 Case No.: 2:22-cv-01600-RSM

**STIPULATION REGARDING  
CONSOLIDATION MOTION**

**NOTE ON MOTION CALENDAR:**  
December 29, 2022

16 On November 9, 2022, Plaintiff Thomas Dorobiala filed a putative class action complaint  
17 against Amazon.com, Inc. Dkt. No. 2. On December 12, 2022, Amazon was served a copy of the  
18 complaint and summons, making its answer or response to the complaint due on January 3, 2023.  
19 On December 15, 2022, Amazon filed a notice of related cases in this and two other actions now  
20 pending before this Court: *Daly v. Amazon.com, Inc.*, No. 2:22-cv-00910-RSM, and *Nicholas v.*  
21 *Amazon.com, Inc.*, No. 2:22-cv-01616-RSM (the “Related Actions”). Dkt. No. 7. On December  
22 19, 2022, this case was reassigned to this Court.

23 On December 28, 2022, Amazon filed a motion to consolidate this action with the Related  
24 Actions (the “Consolidation Motion”). The Consolidation Motion is pending in the *Daly* action,  
25 as the first-filed action. *See* Daly Dkt. No. 25. Plaintiff intends to oppose consolidation. Amazon  
26 and Plaintiff have agreed that Plaintiff may have until Friday, January 20, 2023 to file an opposition  
27 to the Consolidation Motion and Amazon may have until Wednesday, February 8, 2023 to file a  
28 reply in support of the Consolidation Motion.

1 In light of the Consolidation Motion, the parties stipulate and agree to suspend the deadline  
2 for Amazon to answer or otherwise respond to the complaint in this action to the date that is thirty  
3 (30) days after the Court denies Amazon's Consolidation Motion (if that occurs). If the Court  
4 grants Amazon's Consolidation Motion, and does not issue a new case schedule, the parties agree  
5 to meet and confer on a schedule for Amazon to answer or otherwise respond to any amended  
6 consolidated complaint filed in the consolidated action.

8 Dated: December 29, 2022 Respectfully submitted,  
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10 FENWICK & WEST LLP  
11  
12 By: /s/ Brian D. Buckley  
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Attorneys for Plaintiff

1  
2 **SO ORDERED.**  
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6 DATED this 4<sup>th</sup> day of January, 2023.  
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RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE

Presented by:

FENWICK & WEST LLP

By: /s/ Brian D. Buckley  
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